IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.383 OF 2004

Shivaji Genaba Pawar and anr. ... Petitioners

versus

Maya Shivaji Pawar and another ... Respondents

...

Mr. V.S. Talkute, for the Petitioners.

Mr. Vijay Patil, for Respondent No. 1.

Mr. V.B. Konde Deshmukh, A.P.P., for the State.

...

CORAM : A.M.KHANWILKAR,J.

28th January 2005

P.C.:

1. Not on Board. Upon mentioning, taken on Board.

2. Heard Counsel for the parties. I see no reason to interfere with the discretionary order passed by the Court below. The trial Court has observed that evidence of Dr. Shah will be necessary for a just decision of the case. If it

is so, assuming that there is some procedural lapse, no interference is warranted in exercise of writ jurisdiction in respect of the discretionary order passed by the Court below. Hence, dismissed.

(A.M.KHANWILKAR,J.)